D/Jul 1968

1

File No. AFD 77 FAF 62

MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department A+F Section Forest-'B'

Subject:— Reservation of Mondapur Fort-Block, Shahpur -

Earlier References:—

Later References:—

(Classification A/B/C)

26/11/68

Notes Pages 11

Correspondence Pages 44

~~For~~/Not for Section note Book

To be destroyed after

Under Secretary to Government

18.7.62

26.11.68 - A

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿ
ಶಾಸ್ತ್ರ ಇಲಾಖೆ (ಅರಣ್ಯ-ಬಿ)

Sub:- Reservation of Forest lands.

2

Mysore Government Secretariat

File No. of 196 . [App. F. III 2.

AFD 8580

Serial No.

Petition dated 16-9-1961 from Shri Sheelappa Jaka, Shapur, District Gulbarga for Ryots of Mamadapur village, Taluk Shahapur, District Gulbarga.

1) In the above petition the Ryots request permissi to cultivate Forest Block in S.Nos.21, 23, 36, 47 to 53 56, 58 to 61, 63 to 77, 79 to 83, 85, 89, 91, 99, 103, 106, 107, 110, 111, 113, 117, 121, 123 to 125, 129 131, 132 in Mamadapur Taluk as here-to-fore and to instruct the forest authorities to stop reservation.

Minutes of the Minister for Forests.

2) "Secy., Forests. The petitioners are saying that the land is being cultivated by them for the last one hundred years. Since his forefather's time and there are tanks also ~~xxxxx~~ which are irrigating the lands. Hence a stay order may be issued pending the disposal of the petition. A report may be called early.".

Sd/-H.S.R. 16-9-61,
Min. for Forests.

3) A draft letter put up.

18/9

4) Issue and give a copy to the party also

18/9/61

5) Sundry also put up. Fair copies may be sent to C/S for signature

18/9

18 SEP 1961

18/9

Note.—Continue Sheet

File No. of 196 . Mysore Government Secretariat

Serial No.

6) w/r to para 4 n/f, a offr to the party is put up for approval. p.p. 9 c/f

OR 18/9 7) Endorsement has also been issued. No action is necessary for the present.

3
19/9.

8) Since no action is necy., for the present in view of para 7 n/f, this may be filed.

OR 19/1/62 9) For orders
Please see 'A' on p. ag 3/c.
Obtain a reply
23.1.62

10.) A draft cct is accordingly put up
25/1/62
327//
Sec
29.1.62 to p13/c

Issued on 2 FEB 1962

O. No. 5668/62.
p.u.d is for perusal. 11
In view of the remarks offered by the forest Settlement

Serial No.

Pl give this a file no. 3

officer, Gulbarga, the ce of has stated that no objections were recd., within the time prescribed in the notice issued u/s 6 of H.E.A., for receipt of such objections & that a no. of Applications are being received by the ce of from various land holders whose lands have been acquired for reservation for the payment of compensation & hence the Repn. on ~~the~~ behalf of the Rayats does not deserve any consideration. Hence, the ce of has requested that the stay order issued earlier in G.O. of 18-9-61 may be reviewed to take decision in the matter by the F.S.O., Gulbarga. He requests order of Govt.

OR 12) For orders.

4/8/62

Note.—Contn. Sheet

File No. AFD 8580 Forest of 196

Mysore Government Secretariat

	Serial No.	
In view of the report of the C.C.F. on page 16/c (and enclosures) it is clear that there is no need to continue the stay orders issued by Govt. for the proposed reservation of the area in G.O. dated 18.9.1961 (p.1/c). It therefore appears necessary to vacate the stay orders and permit the Forest Deptt. to go ahead with the proposed reservation	12	
~~For perusal & orders please~~	13	
~~Minute of the Min. F.~~		
2/8 In the circumstances explained by C.C.F. the stay order dated 18.9.61 may be vacated to enable C.C.F. to take further action. JR 8/8/62	14	C.W. / Pl speak JR 30/8/62 / Submit 8/8/62
D.S.)		
The petition of ryots of Mahamadapur, Shahapur Tk., Gulbarga Dist., for the release of Forest Blocks in Mahamadapur for cultivation, on the ground that the said people had been cultivating them for over hundred years may be seen at CF.3. On 16-9-61, M. (F) was pleased to issue a stay against the proposed reservation of the area for forest purposes and to	15	

DEPUTY SECRETARY TO GOVT. 1829-F

Serial No.

order that a report might be called for in the matter.

16 The C.C.F's report in this connection may be seen at CF.17. On the basis of the remarks of the Forest Settlement Officer, Gulbarga, the C.C.F. reports that no objections have been received within the prescribed time limit on the notice issued under Sec.VI of Mysore Forest Act for the proposed reservations, but that, on the contrary, a number of applications are being recd. from holders of lands acquired for reservation for the payment of compensation; and that in the circumstances, the representation of the Villagers of Mahamadapur does not deserve any consideration. He hence requests for the vacation of the Stay Order and to permit the Forest Dept. to proceed with the proposed reservation.

1829-F

17 We may agree, vacating the Stay Order and allow the C.C.F. to take further action.

S. Santhi 8/8
S. SANTHI,
Dy. Secy., A. & F. Dept.

Secretary, A. & F.

18) Yes Explained, I think that Stay will have to be Vacated and C.C.F. asked to take further action

M. (Forests).

Secy (A&F)
Y. G. [illegible]
Secretary to Government,
Agriculture & Forest Department.

19) If the land holders have taken compensation for the land included in the Reserve Forest those people need not be allowed to cultivate the same. But people

AGRICULTURE & FOREST SECRETARY No. 3876. 9 AUG 1962 GOVERNMENT OF MYSORE

OFFICE OF THE MINISTER FOR FORESTS & FISHERIES No. F. 1420/6 10 AUG 1962 BANGALORE

Note.—Contn. Sheet

File No. of 196 . Mysore Government Secretariat

Serial No.

Who have been urging for ~~the~~ deleting ~~letting~~ certain areas from the reserve list. Their cases should not be treated so lightly as they are said to be cultivating the land for ~~for~~ the last several years. The settlement officers will look into these details and settle the matter as expert to suit to get early

BR 10/8/62

B. RACHAIAH,
Minister for Forests and Fisheries.

1829-F

OFFICE OF THE MINISTER FOR FORESTS & FISHERIES
No. F. 1429/62
13 AUG 1962
BANGALORE

AGRICULTURE & FOREST SECRETARIAT
No.
13 AUG 1962
3876
GOVERNMENT OF MYSORE

S. A&F)

CCF
13.8

Pl. put up a Dft. letter to CCF (20)
if per NF 15 cm.

DF
13/8

14/8/62

Dft put up for approval (Ref: para 20 n/f) (21)

p. 29 c/7

WD 07273—GPB—PZS—8,00,000—1960.

22) Draft letter to C.C.F. may be approved.

BR
18/8/62

D.S.

23) Issue

21/8

BR
22/8/62

Issued on 4 SEP 1962
4/9.

DEPUTY SECRETARY TO GOVT.
NO. 1944
21 AUG 1962
AGRICULTURE & FOREST DEPTT.

24) A reminder to C.C.F. is put up for approval and signature.

BR
18/5/63

25) Issue

BR
18/5/63

Issued 19-5-63.

Subject Reservation of Momdapur Forest Block, Shahapur, Gulbarga District - Withdrawal of the [redacted] - File No.

References and markings	Notes and Orders	Para Numbers
	U.O.No. 294/66.	
	The file has been linked with file No. AFD 112 FEB 63 of the Forest 'A' Section and the same has been received back with AFD 112 FEG 63, on the report of the CCF, to intimate the stage at which the matter stands.	26
31 C/7 * Flag 'B'	Please see the report of the CCF dated 15-3-1966. As per Government letter No. AFD 8580/61 dated 18th* Sept. 1961, Government has been pleased to direct the C.C.F. that the proposed reservation of the area may be stayed pending orders on the present representation of the ryots.	27
	On the request of the ryots in question, the C.C.F. has now reported that the applicant is willing to surrender his land to the Forest Department, he has requested to vacate the stay order dated 18th Sept. 1961 and has requested orders of Government.	28
33 C/7	If agreed to, we may vacate the stay order, as the applicant himself has requested for vacation of the stay order in his representation dated 17-11-1965.	29
	For orders,	
	M. W. WINSTON, Under Secretary to Government, Agriculture and Forest Department.	
	Reports submitted by CCF at page 34 CF. after a lapse of nearly 3½ years does not	30 Flag 'A'

Stitching space

DEPUTY SECRETARY TO GOVT. NO. 6449 20 JUN 1966 AGRICULTURE & FOREST DEPTT.

Note Continuation Sheet

Subject: Reservation of land - Momdapur Forest Block - Vacation of -

File No.

Wb:014899—GPB—8,00,000—17-6-65

Reference and markings	Notes and Orders	Para Number
Flag 'I' 6443	answer the observations of the Minister at para 19 NF. Further Shri Sheelappa Jaka who has represented at Page 33 CF. expressing his willingness to hand-over the land on acquisition is only one of the applicants. There is no consent from the other petitioners. Hence the reply of the CCF is incomplete. The attention of the CCF may be drawn once again to Govt. letter and ask the to send full and detailed replies within a fortnight. (SYED BASHEER AHMED) Deputy Secretary to Government, Agriculture and Forest Department. 21/6/66	
35 c/7	25 (Forests) Ref. para 30 n/7 (3) Dft letter to CCF is put up for appl. DR 21/6 22.6.66 Issued. 24-6-66. D. no. 4061/66. W/r to para 30 n/7, a detailed report has been called for from the CCF and the report has since been recd. — the	(32 (33

Stitching space

Note Continuation Sheet

AF-9 77 FAF 62 11

Subject: Reservation of land - Mondapur Forest Block - vacation of -

File No.

Reference and markings	Notes and Orders	Para Numbers
	Same is at p. 36 c/7. In view of the report of the CCF. there appears to be no objection for the vacation of the stay order 18/9/61 (flag 'B').	
	OR 2/9/66.	
& flag 'B'	The Stay order dated 18.9.61 may be vacated in view of the present report of the C.C.F at page 36 of the c/F. M 2/9/66.	34
	3/9/66 M. W. WINSTON, Under Secretary to Government, Agriculture and Forest Department.	35
	Secy 4/9/66.	
	The Stay order of 18/9/61 may be ordered vacated. (Ref: Minister's orders on Petition @ 16/9/61)	(36)
	Minister for Forests)	

Dy. Secy., A. & F.
No. 9398
Date 3.9.66

Secy., A. & F.
No. 6177
Date 7/9

OFFICE OF THE MINISTER FOR FORESTS & FISHERIES, No. 7168 9 SEP 1966 BANGALORE.

Stationery Office

S. SEGHADRI, Secy., A. & F. Deptt.

Note Continuation Sheet

AF-9 77 FAF 62 12

Subject: Reservation of land - Mamdapur Forest Block - Vacation of. File No.

WD 014899—GP B—8,00,000—5-2-64

Reference and markings	Notes and Orders	Para Numbers
6177	Para 36 is approved. BR 16/9/66	(37
	S.A.F. 19/9/66	
Dy. Secy. Ag. & Fd. No. 9308 Date.		
	21/9/66	
Dte C/7	Off put up to CCF for appl.,	(38
	BR 22/9/66	
	Issue 27/9/66	
	22/9/66.	
	ISSUED Date 28/9/1966.	
	May be scanned. BR	
	26/11	
	HA 26.11.68.	

Stitching space

Reservation of Forest lands.

I

Issued 18.9.1961 To

The C.C.F.

Sir,

I am directed to enclose for an early report a copy of the petition dated 11th Sept 61 from Shri. Shankappa Jakaishakapur. Dist Gulbarga on the above subject and to request that the proposed reservation in the area may be dropped pending ~~further~~ orders on the ~~representation~~ representation of the Applt

Yours faithfully

6/9.76

2 1879

Copy to D.F.O. Gulbarga.

No. 8580.
18.9.1961 Dfb II

To

Shri Shankappa Jaka
Jakkapur
Gulbarga Dt.

Sir,

With reg to your representation

Attached to the Sept. cabl addressed to the Min. Fin. re. reservation of certain Forest Block in Mamdapur Village Shahapur Taluk, Gulbarga Dt. I am directed to state that the C.C.F has been requested to delay the proposed reservation pending orders on the remark of the Raja'

Yl +
4/5/76.
2/1/89

Copy to C.C.F
" D.F.O. Gulbarga

148

COURT FEE INDIA 2Rs TWO RUPEES

To BANGALORE.

The Hon'ble Minister for Forest,

Government of Mysore, Bangalore.

MYSORE GOVERNMENT SECRETARIAT NO. 8580 18 SEP 1961 FOREST BRANCH

Sub: Reservation of Forest Block Mamadapur Tqluk, Shahapur District Gulbarga S.Nos. 21, 23, 36, 47, to 53, 56, 58 to 61, 63, 64 to 77, 79, to 83, 85, 89, 91, 99, 103, 104, 106, 107, 110, 111, 113, 117, 121, 123 to 125, 129, 131, 132.

Respected Sir,

With reference to above subject and notice, we beg to state as follows for your kind sympathetic consideration:-

That our main occupation is cultivation and we are cultivating the above lands since hundreds of years. The lands are very fertile.

That there are five or six tanks belonging to the owners. Besides, there are about twenty wells. Most of the lands are wet lands.

That if the lands are taken for forest purposes, the village Mamadapur has to be vacated by its citizens and they will made as landless and starving without food and drinks.

That besides our lands, there are about 3,000 acres of lands which can be used for forest purposes.

We therefore humbly request your honour to allow us to cultivate the lands as before, for this act of kindness we will be highly obliged.

Yours faithfully,
Rayots of Mamadapur village Tq.Shahapur,
District Gulbarga.

L.T.Mark of:

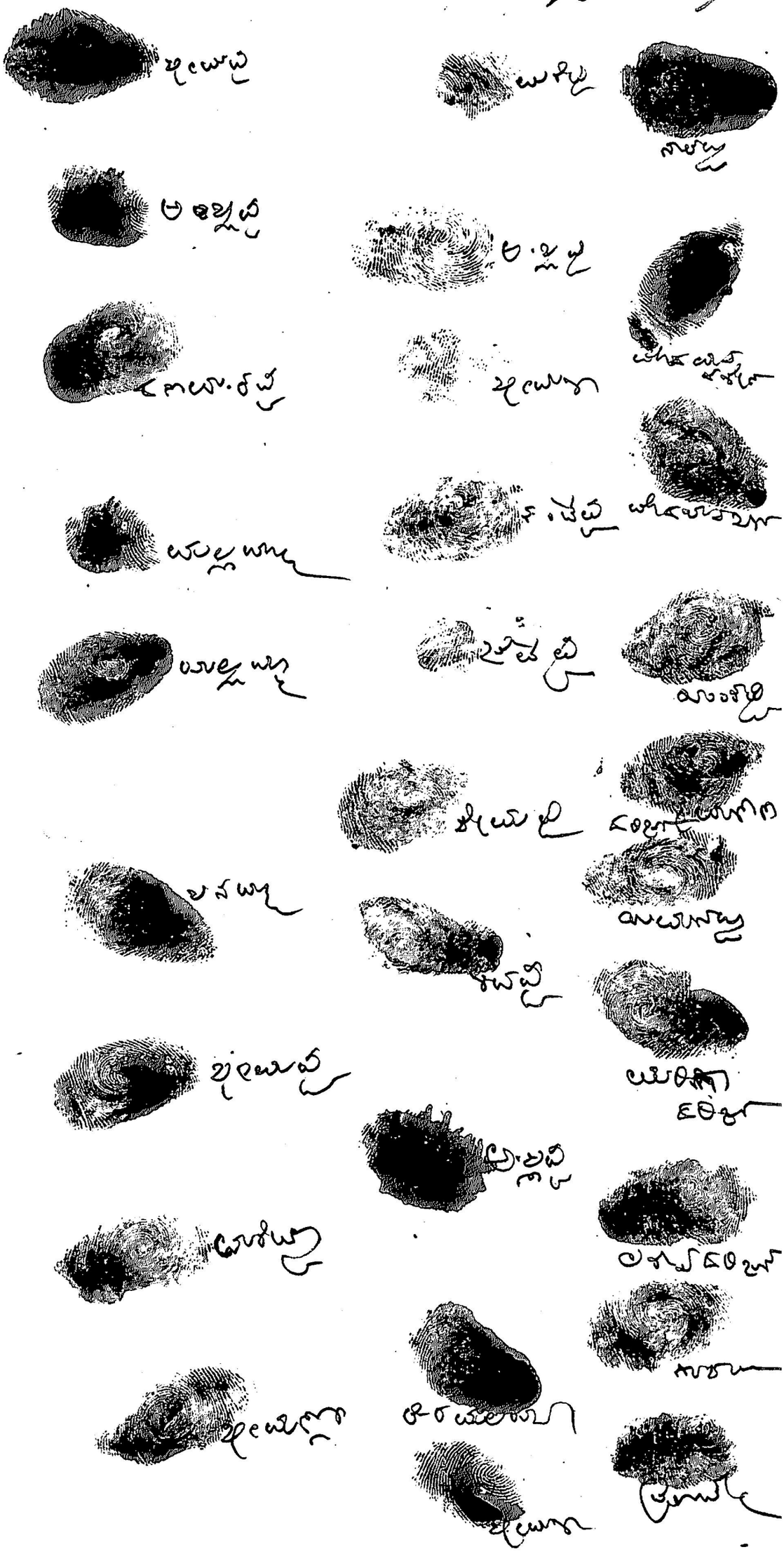
Dated, 16th Sept, 61.

H. S. RUDRAPPA,
Minister for Forests.

OFFICE OF THE ... No. 1270 Date 16.9.61

Address:-
Sheelappa Jaka
Shapur
~~Bangalore~~
Dist. Gulbarga

147 3(a) 16



5 17

GOVERNMENT OF MYSORE

No ~~8528~~ AFD 8580/61.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore 18 SEP. 1961 *.196*

FROM

The *Secretary to the Government of Mysore,*
Agriculture & Forest Department,
Bangalore.

To

The Chief Conservator of Forests in
Mysore, Bangalore.

Sir,

Subject:- Reservation of Forest lands.

I am directed to enclose for an early report a copy of the petition dated the 11th September 1961 from Shri Sheelappa Jaka Shahapur, District Gulbarga on the above subject and to request that the proposed reservation of the area may be stayed pending orders on the present representation of the Ryots.

Yours faithfully,

Sd/-
(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

18 SEP 1961

Copy to the Divisional Forest Officer, Gulbarga.

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

KTK/18

7 18

GOVERNMENT OF MYSORE

No AFD 3580/61.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 18 SEP 1961 *196*

FROM

The *Secretary to the Government of Mysore,*
Agriculture & Forest Department,
Bangalore.

To

Shri Shelappa Jaka Shahapur,
Gulbarga District.

Sir,

With reference to your representation dated 16th September 1961 addressed to the Minister for Forests regarding reservation of certain forest Block in Mamdapur village, Shahapur Taluk, Gulbarga Distriction, I am directed to state that the Chief Conservator of Forests has been requested to stay the proposed reservation pending orders on the present representation of the ryots.

Yours faithfully,

18 SEP 1961

Sd/-
(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

Copy to the Chief Conservator of Forests, Bangalore,
Copy to the Divisional Forest Officer, Gulbarga.

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

Copy of petition from Shri Sheelappa Jaka, Shahapur, District Gulbarga, on behalf of the Ryots of Mamadapur village, Taluk Shahapur, District Gulbarga.

Sub:- Reservation of Forest Block Mamadapur Taluk Shahapur District Gulbarga S.No.21,23,36, 47, to 53, 56, 58 to 61, 63, to 77, 79 to 83, 85, 89, 91, 99, 103, 104, 106, 107, 110, 111, 113, 117, 121, 123 to 125, 129, w 131, 132.

With reference to above subject, and notice, we ~~hak~~ beg to state as follows for your kind sympathetic consideration.

That our main occupation is cultivation and we are cultivating the above lands since hundreds of years. The lands are very fertile.

That there are five or six tanks belonging to the owners. Besides, there are about twenty wells. Most of the lands are wet lands.

That if the lands are taken for forest purposes, th village Mamadapur has to be vacated by its citizens and th will be made as landless and starving without food and drinks.

That besides our lands, there are about 3,000 acres of lands which can be used for forest purposes.

We therefore humbly request you honour to allow us to cultivate the lands as before, for this act of kindness we will be highly obliged.

V. K. Venkatachalam

Sept. 1975

M. G. S. App. F VI—G. 21

SUBJECT p-347

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 195 .

Date of issue.....195 .

Signed by.....

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Section

Serial No.

File No. AFD 85-80/81

~~Proceedings of the Government of~~ Mysore

To

Read Sri. Sheelappa Jaka, Shapur, Gulbarga Dt.,

Order thereon.—No.

Sir,

I am directed to refer to your petition of 16-9-9, on the above subject, to state that the ccf has been instructed to permit you to cultivate the forest lands pending

disposal of your petition.

You are ∴ required to contact the undersigned in the matter

U/S

U/S A & C

OK.
18/9

List of Enclosures.

Copied by

Examined by

WD 04007—GPB—PZS—1,00,000—22-3-00

22 13

Appendix F. G.—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the Issued *195* .

Date of issue 2 FEB 1962

Signed by.....

List of enclosures .....

Copied by.....

Examined by .....

Section

File No.

Serial No.

No.

To CCF

2 FEB 1962

Sir,

Subject :- ASin P1/cf.

Please Refer to G.L. of even no dated 18-9-61 on the above subject. I am desirous to Request you to furnish your Reports early.

Yours

Sd

for CS to Govt ACBD

Yours faithfully

with usual compliments for the visit of yours dly.

WD 04696—GPB—PZS—8,00,000—22-3-60

2211

23

GOVERNMENT OF MYSORE

No AFD 8580/61.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,
Dated, Bangalore, 2 FEB 1962 196

FROM

The *Secretary to the Government of Mysore,*
Agriculture & Forest Department,
Bangalore.

To

The Chief Conservator of Forests,
Bangalore.

Sir,

Subject:- Reservation of Forest lands.

Please refer to Government Letter of even number dated the 18th September 1961 on the subject noted above and furnish Government with the information called therein without further delay.

Yours faithfully,

sd/-

(S.V. Prabhu)
Under Secretary to Government,
Agriculture & Forest Department.

O/C

Issued

KTK/31

OFFICE OF THE CHIEF CONSERVATOR OF FORESTS
IN MYSORE, BANGALORE

2417

No. B-6-21-1571/58
Enc. 4

Dated 23 July 1962.

To

The Secretary to Government,
Agriculture & Forest Department,
Bangalore.

MYSORE GOVT. SECRETARIAT
24 JUL 1962
AGRL. & FOREST DEPT.

Sir,

Sub:- Reservation of Forest lands - Block Mamadapur, Taluka Shahapur, District Gulbarga S.Nos. 21, 23, 26 etc.

Ref:- Government letter No. AFD 8580/61 dated 18-9-61 and AFD 8486/61 dated 25-9-1961.

MYSORE GOVERNMENT SECRETARIAT
NO. 5668
25 JUL 1962
FOREST BRANCH

I enclose herewith copies ofletter No. M2.122-449/59-60 dated 12-7-1962 from the Conservator of Forests, Bellary and of letters Nos. 12-24-RFT/60-61 dated 10-10-1961 and 6-17-RFT-Com/62-63 dated 24-5-1962 from the Forest Settlement Officer, Gulbarga. In view of the remarks offered by the Forest Settlement Officer, Gulbarga that no objections were received within the time prescribed in the notice issued under section 6 of Hyderabad Forest Act for receipt of such objections and that a number of applications are now being received by him from various land-holders whose lands have been acquired for reservation for the payment of compensation, the representation on behalf of the Rayats does not deserve any consideration. Government may therefore, kindly be moved to review the stay order and take early decision in the matter so that the Forest Settlement Officer, Gulbarga may conclude his proceedings in respect of these lands.

Early orders are solicited. Petition in original received with Government letter No. AFD 8486/61 dated 25-9-1961 is enclosed herewith.

Yours faithfully,

Chief Conservator of Forests.

Copy to the Conservator of Forests, Bellary and the Forest Settlement Officer, Gulbarga for information.

DVP/

Copy of letter No. M2.122-449/59-60 dated 12-7-62 from the Conservator of Forests, Bellary circle, Bellary to the Chief Conservator of Forests, Bangalore.

Sub:- Reservation of Forest block, Mohamadapur-Taluka, Sahapura District, Gulburga.

Ref:- Your No. B6-21-1571/58 dated 27-9-1961 and reminders thereon dated 4-6-62 and 3-7-62.

Adverting to your letters cited above on the subject, I submit herewith the copy of letter No. 12/24/RFT/60-61 dated 10-10-1961 for kind perusal. The report of the Forest Settlement Officer, Gulbarga is exhaustive and self explanatory. As reported by the Forest Settlement Officer objections should have been raised by the interested persons at that time when a notification was issued under section 6 of the Hyderabad Forest Act 1355 Fasli and no objections were received at that time and the time prescribed for entertaining such objections also expired during 1954 and a decision was taken to include these lands in the Reserved Forest. Further it is reported by the Forest Settlement Officer, Gulbarga in his letter No. 6-17/RFT-Conr.062-63 dated 24-5-62 addressed to you and copied to this office, that number of applications are being received from various land holders whose lands have been acquired for reservation, for the payment of compensation and compensation to the tune of Rs. 23,971-06 has been paid to the land holders.

Further proceedings of settlement work have been stopped. Government may kindly be moved to pass immediate orders in the matter.

"COPY"

CHIEF CONSERVATOR OF FORESTS.

DVP/

Copy of letter No. 12/24/Rft/60-61 dated: 10th October, 1961 from the Forest Settlement-Officer, Gulbarga addressed to the Conservator-of Forests Bellary Circle, Bellary and copy marked to the Chief Conservator of Forests, Bangalore.

-o-

Sub:- Reservation of Forest Survey Nos. 125, 126 and 66 of Mohamadapur village, Tq. Shshapur District: Gulbarga.

Ref:- Chief Conservator of Forests, Bangalore's letter No. B6-21-1861/58 dated: 27th September, 1961.

-o-

Sir,

This is to inform you that I have been asked by the Chief Conservator of Forests through the above referred letter to submit my remarks about the representation of Sri Bhimappa S/o Krishnappa Koner of Shshapur Taluqua addressed to the Hon'ble Minister of Forests and copy marked to Chief Conservator of Forests, Bangalore.

This representation has to be examined on the basis of two different angles.

Firstly there is a major legal point involved in this case which has to be carefully considered before taking any final decision in this case. According to the section 6 of the Hyderabad Forest Act 1355 Fasli a notification is issued by the Forest Settlement-Officer calling for objections from the interested person against the intention of the Forest Department to declare a particular area as Reserved Forest notified under section 4. In this particular case the period fixed for entertaining such type of objections has already been expired very very long ago. According to the records of the file it is clear that the then working Forest Settlement Officer made a number of attempts by visiting Shahapur and calling for any objections from the persons concerned. Inspite of this nobody came forward with any objection and hence the time fixed for entertaining the objections is expired and it was decided that all these lands should be included, in Reserved Forest. This decision is taken in the year 1954. Now the question which is to be solved is whether after a period of 7 years can we take up such representations for fresh enquiry and if so under what provisions of the Forest Act. On this point I request the Chief Conservator of Forests to give me instructions for compliance.

Secondly there is one actual point which goes in favour of not only the applicant but of all the cultivators whose lands have been taken in this block. By a careful examination of the Map of block I fail to understand why an area which is composed of by 75% of the Private lands has been selected by the Forest-Department when there is abondant Government land available at a distance of hardly 4 to 5 miles from this block. Personally I agree with the representations of the applicants that if this block is to be maintaned as it is we will have to practically shift the villagers and rehabilitate them at some other place as there will

p.t.o.

4. The Director of Forest in Mysore, Bangalore.
5. The Hon'ble

will be no cultivable land left for them to maintain their livelihood. But due to the above stated legal difficulty I was not in a position to entertain their representation at my level and have rejected them as being legally time barred. There is also an another difficulty which is involved in this case as about 40% of the lands which are in the process of acquisition have been duly compensated and the land holders of these lands has been paid his share of compensation in cash.

In the light of the above stated facts I request the Chief Conservator of Forests to obtain necessary orders from the Government for re-enquiry if he desires for action to be taken on thisline, so that there may not be any legal omission in dealing this case in future. If I am ordered to conduct a fresh enquiry into the representation of the applicants I will submit another detail report of my findings with alternate suggestions keeping in view the interest of both the Forest Department and the cultivators.

This is for your kind information and orders.

Yours faithfully,

Sd/-
(Mir Zafar Ali Khan)
Forest Settlement Officer,
Gulbarga.

An advance copy submitted to the Chief Conservator of Forests, Bangalore in reply to his letter No. B6-21-1871/58 dated 27th September, 1961. The original application of Sri Bhimappa S/o Krishnappa Koner is returned herewith as desired.

Sd/-
Forest Settlement Officer

-oOo-

" Copy. "

Forest Settlement Officer
Gulbarga

Dah.

28 23

Copy of letter No. 6-17/RFT-Com/062-63 dated 24th May 1962 from the Forest Settlement Officer, Gulbarga to the Chief Conservator of Forests, Bangalore.

Sub:- Reservation of Forest Block Mohamadapur Taluk Shahapur District Gulbarga.

Ref:- 1. This office letter No. 6-17/RFT-Com/ø/62-63 dated 10th October 1961 addressed to the Conservator of Forests, Bellary and an advance copy submitted to you.

2. Your letter No. B6-21-1571/58 dated 14th October 1961.

Your kind attention is invited on the above reference for favour of early instructions in the matter.

As per instructions given in your letter dated 14th October 1961 further proceedings of settlement work have been stopped. A number of applications are being received in this office from various land holders whose lands have been acquired for forest purposes with a request to pay the amount of the compensation as fixed by this office and they are also agreed to hand over the lands as soon as they receive the amount.

As I have already reported in my letter dated 10th October 1961 that the land holders of about 40% of the lands which have been acquired for the Block have been duly compensated before the stay order is received from your office. With this the Government has already incurred an expenditure of Rs. 23,971.06 nP in this process.

Now as some more land holders are coming forward with requests for the payment of the amount of compensation. I request you to issue instructions whether such cases of persons who come voluntarily to offer their lands involved in this block should be taken up for necessary enquiry or shall we wait till the final decision of the Government in the matter.

I will take action after the receipt of your instructions in this regard.

" COPY "

CHIEF CONSERVATOR OF FORESTS.

DVP/

[illegible] Conservator of Forest, [illegible].
4. The Director of Forest, Bellary.
5. The Non[illegible] [illegible]

29
25

To,
The Forest Settlement Officer,
Gulbarga.

MYSORE GOVERNMENT SECRETARIAT
NO. 8486
16 SEP 1961
FOREST BRANCH

C.C.F
For a report
H. S. RUDRAPPA,
Minister for Forest

Sub:- Reservation of Forest Block inclusion of Sur.Nos. 21, 23, 36, 47 to 53, 56, 58 to 61, 63 to 77, 79 to 83, 85, 89, 91, 99, 103, 104, 106, 107, 110, 111, 113, 117 121, 123 to 125, 129, 131 & 132, of village Mohammdapur Tq. Shahapur Dist. Gulbarga.

Ref:- Your Notice No. 12/24/RFT/60-61 S.No. 1 to 80.

Sir,

OFFICE OF THE MINISTER FOR FORESTS
No. 1863
14 SEP 1961

We, the undersigned cultivator of above cited lands, with receipt of your above mentioned notice within the limit of specified period, have the honour to submit the following few lines for your kind perusal.

That there is no objection to comply according to your notice but the following causes are pressing us to submit before your honour to consider the matter.

That most ofus have withinthe limit of holding sheet of family holding for maintainance of family affairs.

That all of us main profession is agricultu e. Except this, there is no other income source.

AGRICULTURE & FOREST DEPARTMENT
No. 4P
TAPPAL SECTION
Date 15/9
M G S

That being minimum holding, all of us improved the lands raising bunds and making source of irrigation lands and giving the manure to the dry lands. Thus all these lands are very yeilded.

That there is a gounthana named village Mohammdapur. All of residendants of this villages are very poor and their main profession is agriculture and their lands are taken under your notice. If these lands will be reserved for forest there will be no even a bit of portion of land under these persons' possession. Thus all will be become unemployees.

Further it is to state that our total holding is also within the limit of holding. So far, as per the Cir.No. 4 of Revenue Boad of Hyderabd Dept. no cultivator's land may be acquisited for any purpose who has below the family holding sheet. In the ligh of this circular, at any rate these lands may not be taken under your above cited notices.

Inspite of these circumstances, we are ready to offer our lands according to the Government policy, subject to fulfill the above said Hyderabad Revenue circular, it means the equal irrigation and dry land may be provided locally to containue our main profession.

Keeping these facts, we humbly request youto kindly take the necessary measures and give any relief to these humble petitioners so that their main agricultural profession may not discontinue by your good offices, for which act of kindness we shall be highly grateful for ever.

Yours faithfully,

Royats of village
Mohammdapur Tq. Shahapur.

Copies submitted for favour of reconsider the case and recommend to the concerned higher authorities in the above circumstances to:-
1. The Tahsildar, Shahapur.
2. The Dy. Commissioner, Dist. Gulbarga.
3. The Chef Conservator of Forest, Bellary.
4. The Director of Forest in Mysore, Bangalore.
5. The Hon'ble Forest

27

6. The Secretary to the Revenue Board, in Mysore, Bangalore.
7. The Secretary to the Govt. (Revenue Department, in Mysore, Bangalore.
8. The Hon'ble Revenue Minister, in Mysore, Bangalore.
9. Shri Y. Viswanathappa, B.A. LL.B. (M.L.A. Shahapur) Camp, Bangalore

Dated:- 30-8-1961

Yours faithfully,

ಬಂದೆಪ್ಪ ಶರಣಪ್ಪ

Royats of village
Mohammadapur Tq. Shahapur
Dist. Gulbarga (Mysore)

ಎಡಗೈ ಹೆಬ್ಬೆರಳು ಗುರುತು

ಬಲಗೈ ಹೆಬ್ಬೆರಳು

ಬಲಗೈ ಹೆಬ್ಬೆರಳು

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ಎಡಗೈ ಹೆಬ್ಬೆರಳು

ಬಲಗೈ ಹೆಬ್ಬೆರಳು

ಎಡಗೈ ಹೆಬ್ಬೆರಳು

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ಎಡ

M. G. S. App. F VI—G. 21.

SUBJECT: p. 17 c/7 29 30

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

( )

the 196 .

Proceedings of the Government of Mysore

40 4 SEP 1962

Date of issue Issued the 4 SEP 1962 196

Read—

c c f

w/r to your letter No. B6-21-1571/58 of 23-7-62 on the above subject, I am directed to inform you that if the land holders have taken compensation for the land included in the reserve forest, those people need

Signed by.....

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Order thereon.—No.

nor to allowed
to cultivate the
land. But most
people who have
been urging for
deleting certain areas
from the reserve list
their cases should not
be treated so lightly
as they are said to be
cultivating the land
for the last several
years. Hence the
Settlement officer may be
directed to look into
these details & settle
the matter & to send
a detailed report to Govt.
early.

Copied by

Examined by

WD 00416 GPB—FRS—5,00,000—31-5-01

DR
16/8/2016

32
30

GOVERNMENT OF MYSORE

No. AFD 77 FAF 62

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 18.5.1963

FROM

The *Secretary to the Government of Mysore,*
Agriculture and Forest Department.

To

The Chief Conservator of Forests in Mysore,
BANGALORE.

Sir,

Subject:- Reservation of Forest lands - Block Mamadapur, Taluka Shahapur, District Gulbarga S.Nos. 21,23,26 etc.

I am directed to invite your attention to this office letter of even number dated 4th September 1962 on the subject mentioned above and to request you to favour Government with the report called for therein without any further delay.

Yours faithfully,

(T.S.Ramaiya)
Under Secretary to Government,
Agriculture and Forest Department.

RN.
18/5/63

37 33

No. B-6-21-1571/58.
Enc. 2

CHIEF CONSERVATOR'S OFFICE,
BANGALORE, DATED 15 MARCH 66.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Sub:- Reservation of Momdapur forest block, Taluk Shahapur District Gulbarga - petition dated 17-11-65 of Shri Seelappa Jaka R/o Shahapur, District Gulbarga.

Ref:- Govt. letter No. AFD 5609-FB-65 dated 28-12-65.

.....

In this connection reference is invited to this office letter of even No. dated 23-8-65 (copy enclosed) under which orders of Government were sought for vacating the stay orders. Since the applicant is willing to surrender his land to this department, orders of Government vacating the stay orders may kindly be communicated ~~early~~ early for taking further action in the matter.

Early orders are solicited.

The petition received with the above Government letter is enclosed herewith.

Yours faithfully,

14/3

Chief Conservator of Forests.

s.m/-

Copy of letter No.B-6-21-1571/58., dated 23rd August., 65., from the Chief Conservator of Forests Bangalore, to the Secretary to Government, Agriculture and Forest Department, Bangalore.

Sub:- Reservation of lands - Block Mohammadapur, Taluk Shahpur, Dist-Gulbarga S.Nos. 21,26 etc.

Ref:- Govt. letter No. AFD 77 FAF 62 dated 4-9-1962 and this office letter of even No. dated 24-9-1964.

...

I enclose herewith a copy of letter No. 12-24-RFT/60-61 dated 16-8-1965 received from the forest Settlement Officer, Gulbarga for favour of perusal. It is reported by him that only one land-holder had received the compensation and his land has been taken possession of by this Department. In the case of other land-holders, since the Government issued orders to stay further acquisition proceedings, their cases have not been settled and as a consequence no compensation has been paid to them. The forest settlement officer, therefore requests to obtain orders of Government to vacate the stay Orders.

Government may therefore, kindly be moved to vacate the stay orders issued, to enable the forest Settlement officer to proceed in the matter.

Early orders are solicited.

.....

TO;

The Hon"ble Minister [illegible] Forest
Government of Mysore at [illegible]

Sub:- Reservation of Momdapur forest block at Momdapur Tq shahapur Dist. Gulbarga.

Vaction of stay order NO.8580/61/ dated 18-9-1961.

Ref:- Previous applications dated 8-12-1964.& 1-7-1965. requesting Valuation and stay order.

Respected sir;

The petitioner request to invite your kind attention to the above case which pending since 1961. at your Honourable office.and I request you to dispose the case.

That the forest deportment has notified to acquire certain Land at Mamadapur Village. Tq. shahapur for Mamadapur reservation forest block. petitioner is approuched that proper compersotion may not be awarded obtained stay for your office.

The petitioner now ready to part with their land in favou and forest deportment in vain. and reasanable compensation .

It is also requested to assess the compensation in present and valu of land.

PRAYER

Hence it is requested in view of the above fact vacaate the stay order NO.8580/61 dated 16-9-1961. and direct the forest settlement officer Gulbarga to start the acquisation.proceeding.

Dated 17-11-65

Petitioner;
17/11/65
Seelappa Jaka;
R/O shahapur Dist.Gulbarga.
Representation of ryot 2 Village
Mamadapur Tq shahapur Dist.Gulbarga

1. Forest settlement officer Gulbarga.

Copy. To The Honble. P.W.D. minister for need full help.

S.A.F
Connected file may be put up
1016.
AFD 5609/FB/65
28.12.65
Received your good for report
B.b

34 36

No. B-6- 21- 1571/58.

CHIEF CONSERVATOR'S OFFICE,
BANGALORE, DATED 27 APRIL, 1966.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Sub:- Reservation of Momdapur forest block, Taluk - Shahapur, District Gulbarga - petition dated 17-11-65 of Shri Seelappa Jaka of Shahapur, District Gulbarga.

.....

MYSORE GOVT. SECRETARIAT
No. 2011
28 APR 1966
DEPT & ISSUED

I invite reference to this office letter of even No. dated 14-3-66 and request that orders of Government vacating the stay orders may kindly be issued early.

Yours faithfully,

T. S. Chengappa 27/4

Chief Conservator of Forests.

s.m/-

35 37

M. G. S. App. F VI—G. 2]

SUBJECT ..... 31 C/7 .....

Diary No. of letter replied to .....

Mysore Government Secretariat

( )

the 196 .

Date of Issue ..... 196 .

Signed by .....

ISSUED Date 24 Jan 1986

31 C/7

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Section AFD

Serial No. 72

File No. FAF 62

Proceedings of the Government of Mysore

To

Read—

CCF

w/r to your letter No. B6-21-1571/58 dt 15 3/86 on the above subject, I am directed to state that as contended by you, only Sri Sheelappa Jaka is the ~~only~~ person who has expressed his

Order thereon.—No.

38

willingness to hand over the land on Acq^{n}, but the others whose ~~ha~~ land ~~ta~~ has also been acquired has not given the consent letter for acquisition. Hence, I am to request you to examine and submit the detailed replies to your written a four-eight positively

Your detailed report w.r.t. G.L. No. d 4.9.62 also is not received. Please expedite it.

List of Enclosures.

22/8

21/8 AA=

Copied by

Examined by

37/35(a)

GOVERNMENT OF MYSORE

No. AFD 72 FAF 62

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 24-6 *1966.*

FROM

The Secretary to the Government of Mysore,
Agriculture & Forest Department.

To The Chief Conservator of Forests
in Mysore, Bangalore.

Sir,

Sub: Reservation of Momdapur Forest Block, Taluk Shahapur District Gulbarga - Petition dated 17-11-1965 of Shri Seelappa Jaka R/o Shahapur District Gulbarga.

With reference to your letter No.B6-21-1571/58 dated 15-3-66 on the above subject, I am directed to state that as contended by you, only Sri Sheelappa Jaka is the ~~only~~ person who has expressed his willingness to hand over the land on acquisition, but the others whose land has also been acquired has not given the consent letter for acquisition. Hence, I am to request you to examine and submit the detailed replies to Government within a fort-night positively. Your detailed report with reference to Government letter No. dated 4-9-1962 ~~is~~ also is not received. Please expedite it.

Yours faithfully,

O/c 24/6/66

(M.W.Winston)
Under Secretary to Government,
Agriculture & Forest Department.

hns/23-6/

No 36

No. B6-21-1571/58
Enc. 5

CHIEF CONSERVATOR'S OFFICE,
Bangalore: Dated: 30 August 1966

To

The Secretary to Government,
Agriculture and Forest Department,
BANGALORE.

Sir,

Sub:- Reservation of Mohammadupur Forest Block, Taluk Shahapur, District Gulbarga - Petition dated 17th November 1965 of Shri. Seelappa Jaka R/o. Shahapur District Gulbarga.

Ref:- Government letter No. AFD 72 FAF 62 dated 24-6-1966

-000-000-

I enclose herewith a copy of letter No. 12-24-RFT/60-61 dated 19-7-1966 with its accompaniments received from the Forest Settlement Officer, Gulbarga for favour of perusal. It is reporte that Shri. Seelappa Jaka submitted two applications to the Divisional Forest Officer, Gulbarga on 1-7-1965 (copies enclosed). The one submitted by him is, as representative of the Ryots of Mohammadupur Village expressing their willingness to transfer their lands in favour of Forest Department and requesting to vacate the stay orders communicated by Government in their letter No. AFD-8580/61 dated 18-9-1961. The Forest Settlement Officer reports that it is difficult to make out whether Shri. Seelappa had taken the consent of other land holders which submitting the above applicatio and this could only be ascertained during his proceedings under Chapter II of the Hyderabad Forest Act if the stay orders are vacated by Government. He further adds that in case of unwilling persons, he can proceed to acquire such lands under Section 10(1) (c) of the said act.

A copy of this office reply submitted with reference to Government letter No. AFD 77 FAF 62 dated 4-9-1962 is also enclose as desired.

Early orders are solicited.

Yours faithfully,

CHIEF CONSERVATOR OF FORE

NRN/-

39 III

To,

The Divisional Forest Officer,
Gulbarga.

Sub:- Reservation of Forest Block at Mahmadapur Tq.Shahapur Dist.Gulbarga.

Ref:- Vacation of stay order No.8580/60 Dt.18-9-61

Sir,

I , the representative of ryots of Mahmadapur village submit as under:

1. That in pursuance of No.12/24/RFT/60-61 Dt.30-8-61 from the Forest Settlement Officer,Gulbarga , we filed a joint petition before the Hon'ble Minister for forests,Govt. of Mysore,Bangalore, praying the stay of further proceeding and stay order was passed accordingly vide letter No.8580/61 dated 18-9-1961.

2. Now we are ready to transfer our lands in favour of Forest Department on fair and reasonable compensation

3. The assessment should be made in view of present value of lands.

We therefore request your goodself to vocate the stay order cited above and start the proceedings for acquiring the lands mentioned in the notice mention above. We further request that we should be awarded reasonable compensation.

Yours faithfull

Sd/-

Sheelappa Jaka
Representation of Ryots of
Mahmadapur Tq.Shahapur Dist.
Gulbarga.

Copy to the Forest Settlement Officer,Gulbarga with similar request.

"Copy"
Sd/-
Divisional Forest
Officer,Gulbarga.

" True Copy"

Forest Settlement Officer,
Gulbarga.

41 42

To,

The Divisional Forest Officer,
Gulbarga.

Sub:- Forest reserve Block-Village Mamadapur
Tq.Shahapur.

Sir,

We the undersigned applicants most respectfully beg to submit as follows for your kind consideration and necessary action.

That we are the owners and possessors of the lands Sy.No.13,14,15,16,27,29 and 30 situated at village Mamadapur Tq.Shapur.

That the Government have acquired the surrounding lands and it will be very difficult for us to develope and improve our lands. Hence it is most humbly requested that the above mentioned lands may kindly be acquired and the proceedings for acquisition of the above mentioned lands keeping in view the present value of the lands may be started and a fair compensation may kindly be awarded to the applicants. for which the applicants shall ever pray.

Yours faithfully
Sd/-
1.Sheelappa s/o Adveppa Jak
R/o Shahapur
Applicant No.1.
2.Venkappa S/o Shivappa
R/o Rachangera,Tq.
Shahapur.Applicant No.2.

Copy to :-1.Conservator of Forests,Bellary.
2.Chief Conservator of Forests,Bangalore
for favour of information and with a similar request.

"Copy"
Sd/-
Divisional Forest
Officer,Gulbarga .

"True Copy"
Forest Settlement Officer,
Gulbarga.

an. a. slem

43

Copy of letter No. B-6-21-1571/58 dated 23rd August 1965 from the Chief Conservator of Forests in Mysore, Bangalore to the Secretary to Government, Agriculture and Forest Department, Bangalore.

-ooo-

42

Sub:- Reservation of lands - Block Mohammadapur Taluk Shahpur, District - Gulbarga S.Nos.21, 26 etc.,

Ref:- Government letter No. AFD 77 FAE-62 dated 4-9-1962 and this office letter of even No. dated 24-9-1964.

-ooo-

I enclose herewith a copy of letter No. 12-24-RFT/60-61 dated 16-8-1965 received from the Forest Settlement Officer, Gulbarga for favour of perusal. It is reported by him that only one land-holder had received the compensation and his land has been taken possession of by this Department. In the case of other land-holders, since the Government issued orders to stay further acquisition proceedings, their cases have not been settled and as a consequence no compensation has been paid to them. The Forest Settlement Officer therefore requests to obtain orders of Government to vacate the stay Orders.

Government may therefore, kindly be moved to vacate the stay orders issued, to enable the forest Settlement Officer to proceed in the matter.

Early orders are solicited.

-----copy----

CHIEF CONSERVATOR OF FORESTS

NRN/-

Copy of the letter No.12/24/RFT/60-61. dated 16-8-1965 from Office of the Forest Settlement Officer, Gulbarga, to the Conservator of Forests, Bellary Circle, Bellary.

Sub:- Reservation of Forest lands-block Mohammadapur Tq. Shahpur Dist. Gulbarga Sy.Nos. 21-23.26 etc.,

Ref:- The Chief Conservator of Forest's letter No. B-6-21-1571/58 Dated 5th August 1965 addressed to the Conservator of Forests, Bellary and copy marked to this office.

-ooo-

In reply of the Chief Conservator's letter as referred above on the subject I have to inform you that no compensation has been paid to such land holders who had complained against acquisition proceedings. As the compensation was not paid to such land holders their lands were not taken in to the possession of this department. Because according to the procedure land Acquisition act no land can be taken in the possession of the Department unless the compensation has been paid to the land holders. Only one land holder Sri Narayan Rao Deshpande who agreed to part with his lands in favour of forest department has received the amount of compensation from this court.

As the Government in the Forest department issued orders to stay further Acquisition proceedings, this Court could not proceed to acquire all the lands which have been proposed to be included in this forest block.

As soon as the Government order is vacated this court will proceed to acquire the remaining lands after determination the reason-ble amount of compensation as per rules and will proceed to take all the lands in possession of forest department after amount of compensation is paid to the remaining land holders. Orders of the Government in this respect are awaited. This is for your information and necessary action.

- - - - - - - - - - -

Copy submitted to:-

The Chief Conservator of Forests Bangalore in reply to his letter No.B-6-21-1571/58 Dated 5th August 1965 for favour of information and necessary action.

S.H/-